

03-29-05

JFW



PATENT
Customer No. 22,852
Attorney Docket No. 08702.0068-01000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Zhang et al.)	Group Art Unit: 1615
)	
Application No.: 10/779,638)	Examiner: Not Yet Assigned
)	
Filed: February 18, 2004)	
)	
For: METHODS AND COMPOSITIONS)	Confirmation No.: 9082
FOR HEALING AND REPAIR OF)	
ARTICULAR CARTILAGE)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed foreign and non-patent literature documents are attached.

Copies of the U.S. patent publications are not enclosed.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

The following is a concise statement of relevance of the non-English language documents.

1. JP63181770 discloses compositions comprising artificial bone cured and formed by mixing calcium triphosphate, acid, protein, and water.
2. JP5277174 discloses methods for producing calcium phosphate and gelation bioimplantation materials.
3. JP51-0233901A discloses bioimplantable compositions comprising calcium phosphates, carboxymethyl ketene, collagen, and gelatin.

Applicants include these references because they were cited in other BMP applications assigned to Wyeth, Applicants' assignee. Applicants have not considered or characterized these references, but are simply submitting them for the Examiner's consideration.

Applicants will continue to submit all documents that are material to patentability as they become aware of them.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicant determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

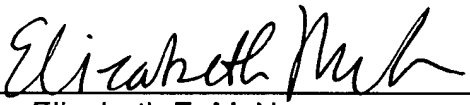
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: 3/28/05

By: 
Elizabeth E. McNamee
Reg. No. 54,696

Complete if Known

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Application Number	10/779,638
Filing Date	February 18, 2004
First Named Inventor	Zhang
Art Unit	1615
Examiner Name	Not yet assigned
Attorney Docket Number	08702.0068-01000

Sheet 1 of 18

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

Examiner Initials	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		2,465,357	29 Mar 1949	Correll et al.	
		3,955,719	11 May 1976	Pheulpin	
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		4,394,370	19 July 1983	Jeffries	
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		4,434,094	28 Feb 1984	Seyedin et al.	
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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

2

of

18

Complete if Known

Application Number	10/779,638
Filing Date	February 18, 2004
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Examiner Name	Not yet assigned
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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

3

of

18

Complete if Known

Application Number	10/779,638
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Examiner Name	Not yet assigned
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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

4

of

18

Complete if Known

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Art Unit	1615
Examiner Name	Not yet assigned
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IDS Form PTO/SB/08: Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/779,638
				Filing Date	February 18, 2004
				First Named Inventor	Zhang
				Art Unit	1615
Examiner Name	Not yet assigned				
Sheet	5	of	18	Attorney Docket Number	08702.0068-01000

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		5,700,911	23 Dec 1997	Wozney et al.	
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		6,004,937	21 Dec 1999	Wood et al.	
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IDS Form PTO/SB/08: Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/779,638
				Filing Date	February 18, 2004
				First Named Inventor	Zhang
				Art Unit	1615
				Examiner Name	Not yet assigned
Sheet	6	of	18	Attorney Docket Number	08702.0068-01000

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Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004

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Exami ner Initials	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translati on ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		EP 0 052 510	26 May 1982			
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		EP 0 121 976	17 Oct 1984			
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<p>IDS Form PTO/SB/08: Substitute for form 1449A/PTO</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p>(Use as many sheets as necessary)</p>				Complete if Known	
				Application Number	10/779,638
				Filing Date	February 18, 2004
				First Named Inventor	Zhang
				Art Unit	1615
				Examiner Name	Not yet assigned
Sheet	7	of	18	Attorney Docket Number	08702.0068-01000

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IDS Form PTO/SB/08: Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/779,638
				Filing Date	February 18, 2004
				First Named Inventor	Zhang
				Art Unit	1615
				Examiner Name	Not yet assigned
Sheet	8	of	18	Attorney Docket Number	08702.0068-01000

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IDS Form PTO/SB/08: Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
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				Filing Date	February 18, 2004
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				Art Unit	1615
				Examiner Name	Not yet assigned
Sheet	9	of	18	Attorney Docket Number	08702.0068-01000

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IDS Form PTO/SB/08: Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)			Complete if Known		
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			Filing Date	February 18, 2004	
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			Art Unit	1615	
			Examiner Name	Not yet assigned	
Sheet	10	of	18	Attorney Docket Number	08702.0068-01000

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶
		Aiba et al., <i>Blood</i> , 90:3923-3030 (1997)	
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			Filing Date	February 18, 2004	
			First Named Inventor	Zhang	
			Art Unit	1615	
			Examiner Name	Not yet assigned	
Sheet	11	of	18	Attorney Docket Number	08702.0068-01000

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			Application Number	10/779,638	
			Filing Date	February 18, 2004	
			First Named Inventor	Zhang	
			Art Unit	1615	
			Examiner Name	Not yet assigned	
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				Application Number	10/779,638
				Filing Date	February 18, 2004
				First Named Inventor	Zhang
				Art Unit	1615
				Examiner Name	Not yet assigned
Sheet	13	of	18	Attorney Docket Number	08702.0068-01000

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				Application Number	10/779,638
				Filing Date	February 18, 2004
				First Named Inventor	Zhang
				Art Unit	1615
				Examiner Name	Not yet assigned
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				Application Number	10/779,638
				Filing Date	February 18, 2004
				First Named Inventor	Zhang
				Art Unit	1615
				Examiner Name	Not yet assigned
Sheet	15	of	18	Attorney Docket Number	08702.0068-01000

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			Application Number	10/779,638	
			Filing Date	February 18, 2004	
			First Named Inventor	Zhang	
			Art Unit	1615	
			Examiner Name	Not yet assigned	
Sheet	16	of	18	Attorney Docket Number	08702.0068-01000

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				Application Number	10/779,638
				Filing Date	February 18, 2004
				First Named Inventor	Zhang
				Art Unit	1615
				Examiner Name	Not yet assigned
Sheet	17	of	18	Attorney Docket Number	08702.0068-01000

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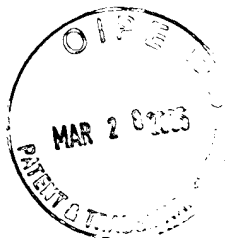
IDS Form PTO/SB/08: Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/779,638
				Filing Date	February 18, 2004
				First Named Inventor	Zhang
				Art Unit	1615
				Examiner Name	Not yet assigned
Sheet	18	of	18	Attorney Docket Number	08702.0068-01000

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